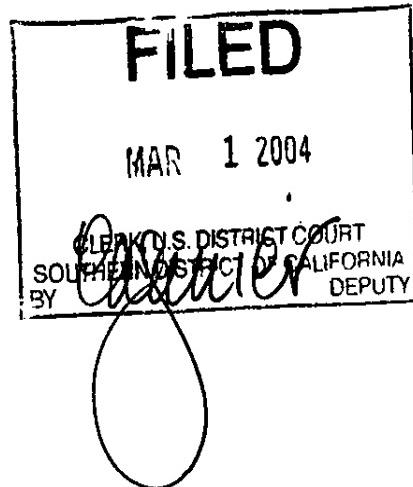




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3:01-CV-00763 MILLS V. MILLER  
\*246\*  
\*JGM.\*



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**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

10  
11 JOHN T. MILLS, et al., CASE NO. 01cv0763-DMS(JMA)  
12 Plaintiffs  
13 vs.  
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15 SALIHA MILLER, BURKE HOVDE,  
16 THIRD EYE SYSTEMS, LLC, and  
17 THIRD EYE SYSTEMS HOLDINGS,  
18 INC.,  
19 Defendants,

20  
21 And all related Counter-claims.

**ORDER OF JUDGMENT**

Trial Date: February 9, 2004

22 The above case came on regularly for trial on February 9, 2004. The Honorable Dana  
23 M. Sabraw presided over the case without a jury, a jury trial having been waived by the parties.  
24 Pursuant to Local Civil Rule 52.1(c) and Federal Rule of Civil Procedure 58, this Court now  
25 issues a final Order of Judgment. For the reasons discussed in the Court's Findings of Fact and  
Conclusions of Law, Judgment shall be entered as follows:

26 1. Plaintiffs' claim for rescission of the sales of the units of Third Eye Systems,  
27 LLC, is **GRANTED** as to all Plaintiffs except Plaintiff/Counter-defendant John T. Mills.  
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*JH* -  
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ENTERED ON 3-2-04 01cv0763

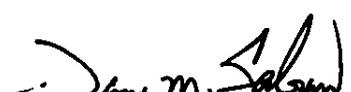
1       2. Upon the tender of the Third Eye units to Defendants/Counter-claimants, all  
2 Plaintiffs (except John T. Mills) are entitled to their out-of-pocket cost of the units, together  
3 with interest at eight percent per annum from the date of payment, costs, and reasonable  
4 attorney's fees. Within thirty (30) days of the date this Order is stamped: "Filed," Plaintiffs  
5 shall serve and file with the Court an amount of damages Plaintiffs believe to comport with  
6 the Court's opinion. The parties shall proceed as described in Local Civil Rule 52.1(b)  
7 regarding the computation of judgment.

8       2. Plaintiff/Counter-defendant John T. Mills's claim for rescission of the sale of the  
9 Third Eye units is **DENIED**.

10      3. The Counter-claims against Plaintiff/Counter-defendant John T. Mills are  
11 **DENIED**.

12      **IT IS SO ORDERED.**

13 Dated: 2-27-04



DANA M. SABRAW  
United States District Judge

14 cc:     Judge Adler  
15           All Parties

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